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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,089	12/02/2003	David Byrne Reese	GCENP003	6003

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EXAMINER

ZHONG, CHAD

ART UNIT	PAPER NUMBER
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2152

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/727,089

Applicant(s)

REESE ET AL.

Examiner

Chad Zhong

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

OFFICE ACTION

1. This action is responsive to communications: Amendment, filed on 12/02/2004.
2. Claims 1-51 are presented for examination. In amendment B, filed on 12/02/2004:
claims 21, 51 are amended.

Applicant's arguments with respect to claims 1-51 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112, second paragraph

Claims 34-51 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following terms lack antecedent basis:
 - i. the at least one computer readable product - claim 34, 42, 43, 46, 47, 49, 50, 51.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-8, 10-13, 19-28, 34-41, 43-45, 46 are rejected under 35 U.S.C. 102(e) as being anticipated by "Evite Tour", Evite, March 2001.

5. As per claim 1, Evite teaches a method for provisioning services within a computer network, the method comprising:

receiving an offer pertaining to a service, the offer being created by a provider and transmitted from a first device to a second device within the computer network (pg 1, Fig 1, item 1, wherein the offer is geared to a dinner appointment);

receiving identifying information regarding one or more invitees to be invited to access the service of the offer, the one or more invitees being transmitted from the first device to the second device (pg 1, item 3, wherein the invitees are notified via email); and

in response to receipt of the offer and the identifying information regarding the one or more invitees, providing an invitation to each of the one or more invitees to access the service of the offer based on the received identifying information (pg 1, item 3, wherein the Evite service will send invitations to the end users after receiving identifying information i.e. recipient's email addresses).

6. As per claim 2, Evite teaches a method as recited in claim 1, wherein the invitation is provided in the form of an email (pg 1).

7. As per claim 3, Evite teaches a method as recited in claim 1, wherein the invitation is provided in the form of a message (pg 1, wherein the invitation message is in a form of a message to the recipient) or an FTP (file transfer protocol) drop.

8. As per claim 4, Evite teaches a method as recited in claim 1, further comprising:

providing a unique URL address (Uniform Resource Locator) for each one or more invitees; and

providing the corresponding URL address in the each invitation to each invitee, wherein the URL address points to one or more web pages which allows the each invitee to register identifying information and accept terms for the offer (pg 1, item 2, 3, wherein the recipient has the option of responding and

posting via the Evite website, URL here is inherent, Evite message system is a web service and this service is done through a series of URL links).

9. As per claim 5, Evite teaches a method as recited in claim 4, wherein the unique URL address is provided to the provider (wherein the inviter initiated an event on Evite messaging system) by a provisioning service implemented on the second device (wherein the second device is the Evite server), and wherein the provider sends the each invitation to each of the one or more invitees (pg 1, items 2-3, wherein the event notification are being sent to the selected recipients).

10. As per claim 6, claim 6 is rejected for the same reasons as rejection to claim 5 above.

11. As per claim 7, Evite teaches a method as recited in claim 1, further comprising storing the offer and its associated one or more invitees (pg 1, item 3, wherein the Evite system keep a log of all the messages and responses).

12. As per claim 8, Evite teaches a method as recited in claim 7, wherein the offer and its associated one or more invitees are only stored when the provider is authorized to create the offer, and wherein the invitation is only provided to the one or more each invitees when the provider is authorized to create the offer (pg 9, wherein the authorization takes place prior to creation of an event).

13. As per claim 10, Evite teaches a method as recited in claim 1, further comprising presenting a registration input form to a first invitee of the one or more invitees for the offer when the first invitee accesses the invitation (pg 1, items 2, 3, wherein the invitee has the option to register and attend the event).

14. As per claim 11 Evite teaches a method as recited in claim 10, wherein the identifying information received for the first invitee is pre-filled into the presented registration form (pg 1, item 2).

15. As per claim 12, Evite teaches a method as recited in claim 10, wherein the invitation to the each one or more invitees further allows the each one or more invitees to accept the invitation (pg 1, item 3).

16. As per claim 13, Evite teaches a method as recited in claim 12, further comprising presenting an acceptance link to the first invitee when the invitee submits the registration form with identifying information (pg 1, item 3).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 9, 18, 33, 42, 51, 14, 29, 47, 15, 30, 48, 16, 31, 49, 17, 32, 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over “Evite Tour”, Evite, March 2001, in view of “Coblist:-Cob: Welcome to my photo album!”, hereinafter Coblist, September 2000.

19. As per claim 9, Evite does not explicitly teach a method as recited in claim 8, further comprising sending an error message to the provider when the provider is not authorized to create the offer, however, it is well known to have response to an incorrect login, Evite describe a login in pg 9, it would have been obvious to have an error message send to the provider when the provider is not authorized to send messages because it would inform access has been denied.

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20. As per claim 18, Evite does not explicitly teaches a method as recited in claim 9, wherein the registration form is presented to the first invitee by presenting an invitation page having a registration link, the method further comprising:

presenting an option link in the invitation page, wherein the option can be accessed by invitees which have already registered;

presenting the acceptance link to the first invitee when the invitee selects the option link and the first invitee is already registered;

presenting an acceptance link to the first invitee when the invitee submits the registration form with identifying information.

In a similar system, Coblist teaches of using ofoto.com. Ofoto is a photo album sharing service over the internet, allowing other users to view the photo album and print photos off of the albums. Within the disclosure, Coblist discussed login or an registration with Ofoto network is required in order to have access to viewing of the albums. Thus, a initial registration or login is required to gain access to the photos on the Ofoto server, this is done in order to promote security on the service, allowing only the registered users to have access to private photo album, further, this step is done in order to promote the customer base for Ofoto online photo album service, the Ofoto membership increases as additional people registers for the service (see for example, pg 1, middle paragraph, "its easy to view.... Login and password).

Hence, it would have been obvious to the person ordinary skilled in the art to have used secure logon in order to promote customer base and ensure information security on the internet.

21. As per claim 33, 51, claim 33, 51 are rejected for the same reasons as rejection to claim 18 above.

22. As per claim 42, claim 42 is rejected for the same reasons as rejection to claim 9 above.

23. As per claim 14, Evite does not explicitly teach a method as recited in claim 12, further

comprising:

setting up permissions between the first invitee and the service when the first invitee registers and accepts the offer.

In a similar system, Coblist teaches of using ofoto.com. Ofoto is a photo album sharing service over the internet, allowing other users to view the photo album and print photos off of the albums. Within the disclosure, Coblist discussed login is required in order to have access to viewing of the albums. Thus, a initial registration or login is required to gain access to the photos on the Ofoto server, this is done in order to promote security on the service, allowing only the registered users to have access to private photo album, further, this is done in order to promote the customer base for Ofoto online photo album service, the Ofoto membership increases as additional people registers for the service (see for example, pg 1, middle paragraph, "its easy to view.... Login and password).

Hence, it would have been obvious to the person ordinary skilled in the art to have used secure logon in order to promote customer base and ensure information security on the internet.

24. As per claims 29, 47, claims 29, 47 are rejected for the same reasons as rejection to claim 14 above.

25. As per claim 15, Evite does not explicitly teach:

wherein permissions are not setup when the first invitee is not authorized to accept the offer.

In a similar system, Coblist teaches of using ofoto.com. Ofoto is a photo album sharing service over the internet, allowing other users to view the photo album and print photos off of the albums. Within the disclosure, Coblist discussed login is required in order to have access to viewing of the albums. Thus, a initial registration or login is required to gain access to the photos on the Ofoto server, this is done in order to promote security on the service, allowing only the registered users to have access to private photo album, further, this is done in order to promote the customer base for Ofoto online photo album service,

the Ofoto membership increases as additional people registers for the service (see for example, pg 1, middle paragraph, "its easy to view.... Login and password).

Hence, it would have been obvious to the person ordinary skilled in the art to have used secure logon in order to promote customer base and ensure information security on the internet.

26. As per claims 30, 48, claims 30, 48 are rejected for the same reasons as rejection to claim 15 above.

27. As per claim 16, Evite teaches a method as recited in claim 12, further comprising:

when the first invitee accepts the first offer, storing an indicator that the first invitee accepted the offer (pg 1, items 1-3, wherein the accepted offer message are displayed);

when the first invitee does not accept the offer, storing an indicator that the first invitee did not accept the offer (pg 1, item 2);

when the first invitee registers, storing an indicator regarding the registration (pg 1, item 2, 3); and

when the first invitee does not register, storing an indicator that the first invitee did not register (pg 1, item 3).

Evite does not explicitly teach:

the date of such acceptance and registration.

However, Evite does teach of an email RSVP, in a similar system, Coblist discloses a date sent along with an email message, see for example, top of pg 1. This is commonly done in the art in order to achieve identification purposes as to find out who sent the message and when the message was sent

Hence, it would have been obvious to the person ordinary skilled in the art to have used date information with email responses in order to find out information about the sender and the time the message was sent.

28. As per claims 31, 49, claims 31, 49 are rejected for the same reasons as rejection to claim 16 above.

29. As per claim 17, combination of Evite and Coblist teaches providing the indicator regarding the acceptance (taught in Evite), the date of acceptance by the first invitee (see claim 16), and the indicator regarding registration to provider when the provider queries regarding the first invitee or the offer (Coblist middle of pg 1, wherein the invitee is queried to register and logon, note, the same rational applies for the combination as disclosed in claim 15-16 above.).

30. As per claim 32, 50, claims 32, 50 are rejected for the same reasons as rejection to claim 17 above.

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents and publications are cited to further show the state of the art with respect to "Apparatus And Methods For Provisioning Services".

- | | | |
|------|------------|----------------|
| i. | US 6529489 | Kikuchi et al. |
| ii. | US 5255389 | Wang |
| iii. | US 5333312 | Wang |
| iv. | US 6091714 | Sensel et al. |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Zhong whose telephone number is (571)272-3946. The examiner can normally be reached on M-F 7:15 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BURGESS, GLENTON B can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley Coleman, Art Unit 2153

CZ

May 24, 2005